

2. The Plaintiffs' action is dismissed as to California Medical Products, Inc., without prejudice;
3. The Defendant California Medical Products, Inc.'s Motion for Summary Judgment (Filing No. 45) is denied as moot; and
4. The Clerk of the Court is directed to amend the caption in this case by terminating California Medical Products, Inc. as a defendant.

DATED this 15th day of September, 2008.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge